

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

| | | |
|-------------------------------------|---|----------------------------|
| ANDREW COOPER on his behalf and on | § | |
| behalf of those similarly situated, | § | Civil Action No. H-05-0005 |
| | § | |
| v. | § | Jury Trial Demanded |
| | § | |
| ETHIO EXPRESS SHUTTLE SERVICE, | § | Collective Action |
| INC. | § | |

**PLAINTIFFS' APPLICATION FOR WRIT
OF GARNISHMENT AFTER JUDGMENT**

COMES NOW Plaintiffs Andrew Cooper, Michael Dwayne Calligan, and Gerald Fields ("Plaintiffs") and file Plaintiffs' Application for Writ of Garnishment after Judgment against Bank of America, N.A., hereinafter called Garnishee, and as grounds therefore, would respectfully show the Court as follows:

1. The parties may be served as follows:
 - a. Bank of America, N.A., Garnishee, may be served by its registered agent, CT Corporation System at 350 N. Paul St., Dallas, Texas 75201.
 - b. The Defendant whose rights are affected hereby is Ethio Express Shuttle Service, Inc. d/b/a Texans Shuttle ("Defendant"), which may be served by its registered agent, Berhane Tesfamariam at 11819 Lelda Lane, Houston, Texas 77071.
2. On May 10, 2005, Plaintiffs recovered a judgment against Defendant in the United States District Court for the Southern District of Texas, in the sum of \$32,247.00, excluding costs and interest. *See* Affidavit of Richard J. Burch ¶ 3, attached as Exhibit A.

3. The judgment is final, valid and remains entirely unsatisfied. *Id.* No supersedeas bond has been approved or filed to suspend execution of the judgment. *Id.*

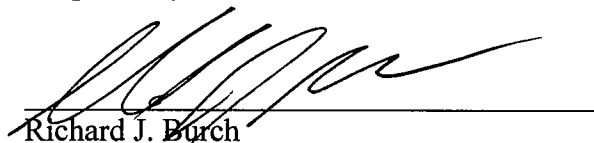
4. The Defendant does not have, within the Plaintiffs knowledge, property within this state that is subject to execution sufficient to satisfy the judgment. *Id.* ¶ 4.

5. This judgment is not sued to injure either the Defendant or the Garnishee. *Id.*

6. Plaintiff has reason to believe and does believe that Garnishee is indebted to the Defendant or has in its hands property belonging to the Defendant. *Id.* ¶ 5.

7. Plaintiff prays that: (1) a writ of garnishment be issued directed to Garnishee; (2) Plaintiff be granted judgment against Garnishee for the amount now due on Plaintiff's judgment already rendered against Defendant, together with interest and costs of the suit in the original case and in this garnishment proceeding; (3) Plaintiff be granted judgment for prejudgment and postjudgment interest at the highest rate allowed by law, and (4) Plaintiff be granted all further relief to which he may be entitled.

Respectfully submitted,



Richard J. Burch
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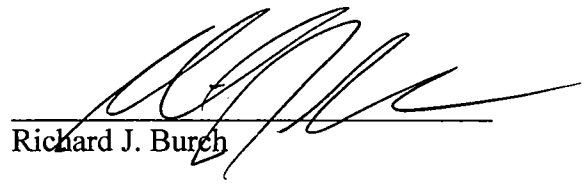
ATTORNEY FOR PLAINTIFFS

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on January 17, 2007, a true and correct copy of the foregoing *Application for Writ of Garnishment* was served by certified mail, return receipt requested on the following:

Berhane Tesfamariam
Registered Agent for Ethio Express Shuttle Service Inc.
11819 Lelda Lane
Houston, Texas 77071

Bank of America, N.A.
CT Corporation System
350 N. Paul St.
Dallas, Texas 75201


Richard J. Burch